



State of Delaware  
Commission on Forensic Science  
(CFS)

Minutes

04/06/15

10:00 -12:00

Division of Forensic Science  
1<sup>st</sup> Floor Conference Room  
200 South Adams Street  
Wilmington, DE 19801

**1. Welcome, Call to Order, and Room Introductions**

- The meeting was called to order by Secretary Lewis Schiliro who provided a brief welcome and thanked everyone for coming this morning. He requested that those present introduce themselves for the record. Those in attendance were as follows:

**Voting Commission Members**

Secretary Lewis D. Schiliro  
Major John Evans  
Senator Robert Marshall  
Representative John Mitchell  
Lisa Schwind, RN, Esquire  
Anita Symonds, RN  
Clytrice L. Watson, Ph.D.

Department of Safety & Homeland Security-**Chair**  
Delaware State Troopers Association  
Delaware State Senate  
Delaware House of Representatives  
Public Defender's Office – Forensic Attorney  
Christiana Care  
Associate Dean – Delaware State University

**Non-voting Commission Support**

**Commission's Legal Support**

DAG Lisa Morris

Department of Justice

## **Council Support**

Patricia McIlvaine

Division of Forensic Science

## **Additional Non-voting Attendees**

Randall L. Hughes

OSEC - Deputy Principal Officer

Isabella Kaplan

DTI – Customer Engagement Specialist

Rebecca Walker

Division of Forensic Science-Chief Operating Officer

Michael Wolf

Division of Forensic Science-Director

## **Absent Voting Commission Members**

Secretary Rita Landgraf

Department of Health & Social Services – **Co-Chair**

Kathleen Jennings

DE Department of Justice – State Prosecutor

Chief Norman Barlow

Member - Delaware Police Chiefs' Council

## **2. Introduction – New DFS Director and Chief Operating Officer**

- a. Secretary Schiliro introduced the new Director of the Division of Forensic Science, Michael Wolf. He said that Director Wolf brings with him the experience of working with three other states, Massachusetts, Connecticut and North Carolina, managing forensic science labs and solving problems similar to those discovered here last year. Secretary Schiliro continued that Mike's solid background in management, coupled with his wide-ranging knowledge of forensic science labs, is exactly what Delaware needs at this time. Director Wolf holds a Master of Science degree in Forensic Science and a Bachelor of Science degree in Mathematics. He also is a retired FBI Assistant Director. The Secretary said Director Wolf brings the leadership skills necessary to work through the many challenges facing this division.
- b. Secretary Schiliro then introduced Rebecca Walker, the new DFS Chief Operating Officer. He said Rebecca comes to us with quite an extensive background. She was a Delaware State Representative for 2 terms in Legislative Hall and, among other responsibilities, headed the Judiciary Committee; a Forensic Nurse at Christiana Care and an RN in the Emergency Department, and is an attorney. She is currently pursuing her doctorate. The Secretary said that her special skill sets will fit nicely into what we do here.

### **3.2015 and 2016 Commission Goals and Objectives**

- Secretary Schiliro stated that a good amount of time and effort this past year has been spent by the Division correcting various issues and there are projects underway to improve the overall efficiency of the laboratories. He conveyed to Committee members that the Annual Report, along with a cover letter, and the Andrews International reassessment, was presented to the JFC. Unfortunately, we did not get the funding needed for the study to centralize DFS services state-wide and relocate the forensic science laboratory. Senator Marshall noted that if it is decided that a new facility is necessary, he would like to see that the location remains within Wilmington.
- Secretary Schiliro informed Commission members that this year's report to the General Assembly and Governor will encompass much more. We must issue a report on behalf of the Commission with the findings from the Strategic Planning Advisory Committee and the Standards & Certifications Committees. These committees' findings are important for the future of this lab. In my view, said Secretary Schiliro, the citizens of Delaware may not want to trust the police, with all that has been going on in Ferguson and New York, but they have to trust the science and the State of Delaware must make an investment in forensic science, from where we are now and take DFS into the future. We need to make a strong argument in our January 2016 annual report. Secretary Schiliro said that even though it continues to be a tough budget year for Delaware, as it has for the past 7 years, a study needs to be commissioned for a state-of-the-art forensic science building to adequately house and consolidate DFS services and it should begin as soon as possible.
- R. L. Hughes said that there are other alternatives we can discuss; perhaps develop a separate funding source. Secretary Schiliro agreed that funding and resources are a big issue; and, at some point, Delaware must decide. Lisa Schwind commented that the Criminal Justice Council has been good to us in terms of grants. R.L. Hughes added that these grants mostly cover equipment, not people, and \$200,000 does not get us anything for the study. The Coverdell grant we are working through is for equipment. Director Wolf stated that Rebecca Walker, in her role as Chief Operating Officer, will watch for any and all grant opportunities.
- Secretary Schiliro then turned the meeting over to Dr. Watson for an update on the Standards and Certifications Advisory Committee.

#### **4. Standards & Certifications Committee**

- Dr. Watson reported that the committee met in March and members discussed their goal of improving the DFS lab operations and certifications. Dr. Watson said the immediate goal of the committee is to evaluate ASCLD certification versus ANAB certification and determine which is appropriate for DFS. She said that Patricia Monaghan and A. Robyn Quinn, from DFS, will initiate this evaluation within DFS. When the evaluation has been completed, the Committee will make a recommendation to Secretary Schiliro and the Commission.
- Dr. Watson handed out a list of the frequently used acronyms associated with DFS lab operations and certifications. Director Wolf said DFS currently has certifications under ISO:17025, ANAB, and NAME, and our DNA lab follows the FBI standards for DNA. A long discussion then ensued among the meeting attendees regarding ASCLD versus ANAB certification.
- Senator Marshall asked Dr. Watson about the educational outreach goal and the benefit derived from this initiative. Dr. Watson answered that this program is currently on the back burner but it is intended to create trust in the community and understanding of the relevance of the DFS role in relation to the community. The committee thinks that it would be most beneficial educating the community about what is going on here.
- Secretary Schiliro then moved the meeting forward to Major Evans for an update on the Strategic Planning Advisory Committee.

#### **5. Strategic Planning Advisory Committee**

- Major Evans said that the committee is working with a road map that is looking 5 years into the future. He reported the committee met on February 27<sup>th</sup> and it was a very productive meeting. The following action items were outlined:

- a. Building Size and Structure: There are various problems with the current facility, i.e., the building is old, no room for expansion, sub-par ventilation, not enough available parking, IT issues, etc.
  - b. Issue Andrews International Report, and Reassessment, to committee members so that committee members may appreciate the evaluation of DFS.
  - c. Synergy Between Forensic Science Disciplines: Focusing on consolidation of several disciplines into one group. If this Commission is going to satisfy the State's needs going forward, it is important for our committee to understand why we need to get everything going to one location. Currently, DNA testing, fingerprint testing, gun residue testing, etc. goes to several different locations which ends in delayed results and outsourcing costs to agencies. Need to assess cost of centralizing versus not centralizing.
  - d. Barcoding of Evidence: Would like to see barcoding in every agency in State from source to police to forensics; barcoding would be used for all evidence.
  - e. Need to codify relationship between DFS and DHSS.
  - f. Develop Internships with Universities: Delaware State already has this system in place; research possibilities with University of Delaware.
  - g. DNA Collection: There is a move to collect DNA from all felony offenders at time of arrest. This would necessitate additional DNA staff and additional storage.
  - h. Retention of Evidence: Delaware is one of nine states that do not have an evidence destruction statute. The committee needs to follow-up on this.
- Major Evans reported that the committee, along with Director Wolf, C.O.O. Rebecca Walker and DAG Stephen Welch, made a visit to the Forensic Science Division of the Maryland State Police and were very impressed. The building is quite large (68,000 sq.ft.) and is bright and airy; a welcoming place. It was built in 2006 at the cost of \$28 million. Mr. Daniel Katz, the Division Director, shared a wealth of information and interesting perspectives on forensic science. Mr. Katz said that employee morale increased

dramatically with the move from their old facility to this new one. The personnel within the division provide scientific support services to the law enforcement community. We learned the lab has accreditation with ASCLD/LAB. Additionally, the facility has an impressive security system which monitors every employee and where they are. Major Evans said they also house contract employees who take care of maintenance full time.

- Major Evans said that the committee will be taking another field trip; this time to the Baltimore Medical Examiner's office and will share their findings.

## **6. DTI Update**

- Secretary Schiliro noted that one issue we need to discuss is the IT support for DFS. He said that previously DHSS furnished the IT support for DFS but now DSHS works with DTI. He said the good news is that we have DTI's support; the bad news is the financial impact we need to face. The Secretary then turned the meeting over to Isabella Kaplan, DTI Customer Engagement Specialist, for a report on the status of the IT changeover.
- Ms. Kaplan said, as was stated by Secretary Schiliro, the project involves the migration from DHSS network over to DTI and we have run into some issues. DTI has discovered that some significant items were not disclosed by DSHS in the original assessment. We are following up on these items and plan to meet with DSHS to discuss moving forward. These discussions will also include the upgrade to FLIMS and the barcoding effort. We did complete the upgrade of all the DFS network hardware on 3/26; however, this places them in a gray area where DSHS now owns the hardware but the backend network is still run on DHSS's network. DTI and DHSS will work together on any network issues that might arise moving forward. The completion date for the migration is still scheduled for September 2015. The telephone upgrades are on track to occur mid-May 2015. There is a known issue with bandwidth capacity; the building currently has a 10 megabit circuit, which is not enough to meet their business needs. The security videos are currently taking up all of the bandwidth and affecting DFS business operations. An upgrade to a 100 megabit circuit was approved, and the request was submitted and is moving forward. Once the upgrade is in place, connectivity will not be an issue for this building.

- Ms. Kaplan made a suggestion to Major Evans to include someone from DTI to attend their Strategic Planning Committee meetings since a lot of the initiatives involve IT or have an IT component. Major Evans agreed and will send her an invitation to the next meeting. For now, Ms. Kaplan will be the DTI point of contact for the Strategic Planning Committee.

## **7. Approval of the Minutes**

- Secretary Schiliro asked everyone if they had reviewed the minutes of the last meeting and, hearing no objections, asked for a motion to approve the minutes. Dr. Watson motioned to approve and Major Evans seconded the motion, with voting members in attendance unanimously voting to approve the minutes of the February 2, 2015 meeting.

## **8. Commission Members Open Discussion**

- Secretary Schiliro asked if anyone had any questions. Lisa Schwind noted that there was no press release issued when Rebecca Walker was hired and encouraged that one be released to avoid any transparency issues. Secretary Schiliro answered that although a press release was supplied for the Director position, press releases are not normally issued for this position. Ms. Schwind then questioned if there would be a conflict of interest concern due to Rebecca's secondary employment as a Registered Nurse. Secretary Schiliro replied that we have policies in place to cover secondary employment. Ms. Walker has complied with these policies. Secretary Schiliro told Commission members that if anyone should have a question regarding this issue, please contact him.

## **9. Adjourn**

- Secretary Schiliro said that due to ongoing scheduling conflicts among some Commission members, future meeting dates and location need to be determined. Commission members will be canvassed regarding their preference of time and place for our next meeting and will be notified of the decision. The meeting adjourned at 11:55 a.m.